

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

William Michael Skinner, Jr., Mitch)
Rowell, Laurence H. Flanagan, William)
Jeff Holman and John Faiella,)

Plaintiffs,)

vs.)

Gateway Mortgage Group, LLC,)

Defendant.)

C/A No. 3:13-2924-MBS

**DEFENDANT'S ANSWERS TO
LOCAL CIVIL RULE 26.01 INTERROGATORIES**

COMES NOW Defendant Gateway Mortgage Group, LLC, by and through its counsel,
and files these Answers to Local Civil Rule 26.01 Interrogatories.

INTERROGATORY A:

State the full name, address, and telephone number of all persons or legal entities who
may have a subrogation interest in each claim and state the basis and extent of said interest.

ANSWER TO INTERROGATORY A:

None.

INTERROGATORY B:

As to each claim, state whether it should be tried jury or nonjury and why.

ANSWER TO INTERROGATORY B:

Defendant acknowledges that, as a general matter, jury trials are available for questions of
fact as to the claims made in the Complaint and that Plaintiffs have requested a jury trial.

However, certain issues, such as alleged remedies sought by Plaintiffs, should not be tried before or decided by a jury.

INTERROGATORY C:

State whether the party submitting these responses is a publicly owned company and separately identify: (1) each publicly owned company of which it is a parent, subsidiary, partner, or affiliate; (2) each publicly owned company which owns ten percent or more of the outstanding shares or other indicia of ownership of the party; and (3) each publicly owned company in which the party owns ten percent or more of the outstanding shares.

ANSWER TO INTERROGATORY C:

Gateway Mortgage Group, LLC, is not a publicly traded company, nor does any publicly owned company own ten percent or more of it.

INTERROGATORY D:

State the basis for asserting the claim in the division in which it was filed (or the basis of any challenge to the appropriateness of the division).

ANSWER TO INTERROGATORY D:

Plaintiffs' causes of action are alleged to have occurred in or around Lexington County, South Carolina. Thus, as to some of the Plaintiffs, the Columbia Division appears to be the proper division in which to assert those claims. Defendant notes, however, that several of the Plaintiffs have agreements that contain choice of law and forum selection clauses that require their cases be dismissed and/or venue transferred to a court of competent jurisdiction in Tulsa, Oklahoma. Defendant intends to file an appropriate motion as to this issue.

INTERROGATORY E:

Is this action related in whole or in part to any other matter filed in this District, whether civil or criminal? If so, provide: (1) a short caption and the full case number of the related action; (2) an explanation of how the matters are related; and (3) a statement of the status of the related action. Counsel should disclose any cases which *may be* related regardless of whether they are still pending. Whether cases *are* related such that they should be assigned to a single judge will be determined by the Clerk of Court based on a determination of whether the cases: arise from the same or identical transactions, happenings, or events; involve the identical parties or property; or for any other reason would entail substantial duplication of labor if heard by different judges.

ANSWER TO INTERROGATORY E:

Defendant is unaware of any other matter filed in this District which is related to this case.

INTERROGATORY F:

If the defendant is improperly identified, give the proper identification and state whether counsel will accept service of an amended summons and pleading reflecting the correct identification.

ANSWER TO INTERROGATORY F:

Defendant is properly identified in the Complaint.

INTERROGATORY G:

If you contend that some other person or legal entity is, in whole or in part, liable to you or the party asserting a claim against you in this matter, identify such person or entity and describe the basis of said liability.

ANSWER TO INTERROGATORY G:

Defendant denies that any party is liable to Plaintiffs on any claim. To the extent any liability exists, however, Defendant is not aware of any other such party.

Dated this the 25th day of October 2013.

Respectfully submitted,

OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.

By: s/Christopher J. Near
Christopher J. Near (Fed ID No. 9223)

ATTORNEYS FOR DEFENDANT

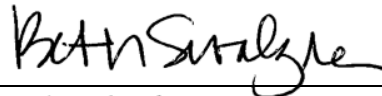
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CERTIFICATE OF SERVICE

I, Beth A. Swalgren, do hereby certify that the foregoing **DEFENDANT'S ANSWERS TO LOCAL CIVIL RULE 26.01 INTERROGATORIES** has been served upon the following person electronically via the Court's Electronic Case Filing system, as well as by certified mail, return receipt requested, properly addressed, and with the correct amount of postage affixed thereto:

Brian Dumas, Esq.
Brian Dumas Attorney, LLC
718 Clemson Road
Columbia, SC 29229

Dated this the 25th day of October 2013.



Beth A. Swalgren
Legal Assistant to Christopher J. Near

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